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STATUTORY INSTRUMENTS

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**1996 No. 3211**

**ARBITRATION**

**The Unfair Arbitration Agreements  
(Specified Amount) Order 1996**

*Made - - - - 19th December 1996*  
*Laid before Parliament 20th December 1996*  
*Coming into force - - 31st January 1997*

The Secretary of State, in exercise of the powers conferred on him by section 91(3)(a) and (b) of the Arbitration Act 1996<sup>(1)</sup>, with the concurrence (as respects England and Wales) of the Lord Chancellor and (as respects Scotland) of the Lord Advocate, hereby makes the following Order:

1. This Order may be cited as the Unfair Arbitration Agreements (Specified Amount) Order 1996, and shall come into force on 31st January 1997.
2. The amount of £3,000 is hereby specified for the purposes of section 91 of the Arbitration Act 1996 (arbitration agreement unfair where modest amount sought).

Department of Trade and Industry  
16th December 1996

*John M. Taylor,*  
Parliamentary Under-Secretary of State for  
Corporate and Consumer Affairs,

I concur,

17th December 1996

*Mackay of Clashfern, C.*

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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I concur,

19th December 1996

*Mackay of Drumadoon,*  
Lord Advocate's  
Department

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order specifies the amount of £3,000 for the purposes of section 91 of the Arbitration Act 1996. Subsection (1) of that section provides that a term which constitutes an arbitration agreement is unfair for the purposes of the Unfair Contract Terms in Consumer Contracts Regulations 1994 (S.I.1994/3159), which implement Council Directive [93/13/EEC](#) on unfair terms in consumer contracts (OJNo. L95, 21.4.93, p.29), so far as the term relates to a claim for a pecuniary remedy which does not exceed the amount specified by order for the purposes of that section.

Section 89(1) defines “arbitration agreement” as an agreement to submit to arbitration present or future disputes or differences (whether or not contractual).